

**JOHN L. BURRIS ESQ., SBN 69888**  
**BENJAMIN NISENBAUM, ESQ., SBN 222173**  
**JAMES COOK, ESQ., SBN 300212**  
**LAW OFFICES OF JOHN L. BURRIS**  
Airport Corporate Centre  
7677 Oakport Street, Suite 1120  
Oakland, California 94621  
Telephone: (510) 839-5200  
Facsimile: (510) 839-3882  
Ben.Nisenbaum@johnburrislaw.com

Attorneys for Plaintiffs,  
BARBARA DOSS, et al.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

BARBARA DOSS, individually; B.A., co-  
successor-in-interest to Decedent Dajuan  
Armstrong, by and through his Guardian Ad  
Litem Lilly Coleman; J.L.J.A., co-successor-in-  
interest to Decedent Dajuan Armstrong, by and  
through her Guardian Ad Litem Janae Cook;  
O.A., co-successor-in-interest to Decedent  
Dajuan Armstrong, by and through his Guardian  
Ad Litem Chastity Williams,

Plaintiffs,

vs.

COUNTY OF ALAMEDA, a municipal  
corporation, et al.

Defendants.

CASE NO.: 3:19-cv-07940-SK

**CO-SUCCESSOR-IN-INTEREST  
DECLARATION OF BARBARA DOSS**

I, BARBARA DOSS, hereby declare:

1. My name is BARBARA DOSS.

1           2. My son, Decedent DUJUAN ARMSTRONG, died on June 23, 2018 at Santa Rita Jail,  
2 located at 5325 Broder Boulevard, Dublin, CA 94568.

3           3. No proceeding is now pending for administration of Decedent's estate.

4           5. Decedent DUJUAN ARMSTRONG had three children, Plaintiff B.A., J.L.J.A., and O.A.  
5 Plaintiff B.A., J.L.J.A., and O.A. are the Decedent's co-successors-in-interest as defined in section  
6 377.11 of the California Code of Civil Procedure and succeeds to the decedent's interest in this  
7 action.  
8

9           7. The affiant or declarant is the decedent's successor in interest (as defined in Section 377.11  
10 of the California Code of Civil Procedure) and succeeds to the decedent's interest in the action or  
11 proceeding.  
12

13           8. No other person has a superior right to commence the action or proceeding or to be  
14 substituted for the decedent in the pending action or proceeding.

15           9. A copy of the decedent's death certificate is attached to this declaration.  
16

17  
18           I declare under penalty of perjury under the laws of the State of California that the foregoing  
19 is true and correct to my personal knowledge, except where stated on information and belief, and to  
20 those matters I am informed and believe them to be true. If called as a witness, I would competently  
21 testify to those matters stated herein.  
22

23                               Executed on September 18, 2020 at Oakland, California

24                               /s/ BARBARA DOSS

25                               BARBARA DOSS

26                               Mother of Decedent DUJUAN ARMSTRONG  
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Dajuan Armstrong, by and through his Guardian  
Ad Litem Chastity Williams,

Plaintiffs,

vs.

COUNTY OF ALAMEDA, a municipal  
corporation, et al.

Defendants.

CASE NO.: 3:19-cv-07940-SK

**PETITION APPOINTING GUARDIAN AD  
LITEM FOR MINOR B.A.**

Petitioner Lilly Coleman respectfully represents:

1           1.       Petitioner LILLY COLEMAN is the natural mother of minor plaintiff B.A.. Decedent  
2 DUJUAN ARMSTRONG was the father of the child. Minor Plaintiff B.A. was born on May 12,  
3 2012 and is presently eight years old.

4           2.       Minor Plaintiff B.A. has causes of action against the named defendants herein on  
5 which a lawsuit was brought in this court for violation of civil rights under Federal statutes.  
6

7           3.       Plaintiffs' causes of action arise out of an incident which occurred on June 23, 2018,  
8 in which Minor Plaintiffs B.A.'s father, DUJUAN ARMSTRONG, died by asphyxiation.

9           4.       No previous petition for appointment of guardian ad litem with respect to this minor  
10 has been filed in this matter.

11           5.       In a case where a minor had an interest in a trust and the litigation sought to destroy  
12 the trust, appointing a guardian ad litem "other than a person with a conflicting interest to protect his  
13 interest in the decedent's estate" was "advisable and proper". Estate of High (Cal. App. 4th Dist. Apr.  
14 28, 1967), 250 Cal. App. 2d 561. Similarly, where a minor's financial interest in a trust directly  
15 conflicted with his mother seeking in her individual capacity to dissolve the trust, it was "highly  
16 proper" a different guardian ad litem be appointed in lieu of his mother. *Loock v. Pioneer Title Ins. &*  
17 *Trust Co.*, (Cal. App. 4th Dist. Jan. 29, 1935) 4 Cal. App. 2d 245, 249. Here, petitioner is willing to  
18 serve as the minors' Guardian Ad Litem. Petitioner is fully competent to understand and protect the  
19 rights of the minors. Petitioner has no interest adverse to that of the minor because their interests  
20 concerning liability are totally aligned, and their interests concerning damages totally align as well.  
21 The measure of damages is individual to Petitioner and minor plaintiff, with any amount awarded to  
22 one not impacting the amount awarded to the other, and also coincide, where the nature of the family  
23 relationships advance each others' interests, as opposed to being adverse to each other's interests. As  
24 the child's mother, Petitioner is also the best person to act in the interest of the minor.  
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1           6.       Petitioner requests that she be appointed guardian ad litem for their child, to prosecute  
2 the above-described causes of action on behalf of their child, and for such other relief as the Court  
3 may deem just and proper.

4           7.       This petition was prepared by the Law Offices of John L. Burris, the lead counsel  
5 representing plaintiffs in this action. James Cook, Esq. of Law Offices of John L. Burris also  
6 represents plaintiffs and is in agreement with the terms of this Petition. John L. Burris, Esq.,  
7 Benjamin Nisenbaum, Esq., and James Cook Esq., hereby represent to the Court that they became  
8 involved in this case at the request of plaintiffs, and have not received, and do not expect to receive  
9 any compensation for their services in connection with this action from any person other than the  
10 parties whom they represent in this action.  
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14           I declare under penalty of perjury under the laws of the State of California that the foregoing  
15 is true and correct of my personal knowledge, except where stated on information and belief, and to  
16 those matters I am informed and believe them to be true. If called as a witness, I would competently  
17 testify to those matters stated herein.  
18

19                               Executed on September 18, 2020 at Oakland, California.

20                               /s/ LILLY COLEMAN

21                               LILLY COLEMAN

22                               G.A.L. of Decedent DUJUAN ARMSTRONG's biological  
23 child, B.A.  
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O.A., co-successor-in-interest to Decedent  
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vs.

COUNTY OF ALAMEDA, a municipal  
corporation, et al.

Defendants.

CASE NO.: 3:19-cv-07940-SK

**PETITION APPOINTING GUARDIAN AD  
LITEM FOR MINOR J.L.J.A.**

Petitioner Janae Cook respectfully represents:

1           8.       Petitioner JANA E COOK is the natural mother of minor plaintiff J.L.J.A.. Decedent  
2 DUJUAN ARMSTRONG was the father of the child. Minor Plaintiff J.L.J.A. was born on April 7,  
3 2011 and is presently nine years old.

4           9.       Minor Plaintiff J.L.J.A. has causes of action against the named defendants herein on  
5 which a lawsuit was brought in this court for violation of civil rights under Federal statutes.  
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7           10.      Plaintiffs' causes of action arise out of an incident which occurred on June 23, 2018,  
8 in which Minor Plaintiffs J.L.J.A.'s father, DUJUAN ARMSTRONG, died by asphyxiation.

9           11.      No previous petition for appointment of guardian ad litem with respect to this minor  
10 has been filed in this matter.

11           12.      In a case where a minor had an interest in a trust and the litigation sought to destroy  
12 the trust, appointing a guardian ad litem "other than a person with a conflicting interest to protect his  
13 interest in the decedent's estate" was "advisable and proper". Estate of High (Cal. App. 4th Dist. Apr.  
14 28, 1967), 250 Cal. App. 2d 561. Similarly, where a minor's financial interest in a trust directly  
15 conflicted with his mother seeking in her individual capacity to dissolve the trust, it was "highly  
16 proper" a different guardian ad litem be appointed in lieu of his mother. *Loock v. Pioneer Title Ins. &*  
17 *Trust Co.*, (Cal. App. 4th Dist. Jan. 29, 1935) 4 Cal. App. 2d 245, 249. Here, petitioner is willing to  
18 serve as the minors' Guardian Ad Litem. Petitioner is fully competent to understand and protect the  
19 rights of the minors. Petitioner has no interest adverse to that of the minor because their interests  
20 concerning liability are totally aligned, and their interests concerning damages totally align as well.  
21 The measure of damages is individual to Petitioner and minor plaintiff, with any amount awarded to  
22 one not impacting the amount awarded to the other, and also coincide, where the nature of the family  
23 relationships advance each others' interests, as opposed to being adverse to each other's interests. As  
24 the child's mother, Petitioner is also the best person to act in the interest of the minor.  
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1           13.     Petitioner requests that she be appointed guardian ad litem for their child, to prosecute  
2 the above-described causes of action on behalf of their child, and for such other relief as the Court  
3 may deem just and proper.

4           14.     This petition was prepared by the Law Offices of John L. Burris, the lead counsel  
5 representing plaintiffs in this action. James Cook, Esq. of Law Offices of John L. Burris also  
6 represents plaintiffs and is in agreement with the terms of this Petition. John L. Burris, Esq.,  
7 Benjamin Nisenbaum, Esq., and James Cook Esq., hereby represent to the Court that they became  
8 involved in this case at the request of plaintiffs, and have not received, and do not expect to receive  
9 any compensation for their services in connection with this action from any person other than the  
10 parties whom they represent in this action.  
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14           I declare under penalty of perjury under the laws of the State of California that the foregoing  
15 is true and correct of my personal knowledge, except where stated on information and belief, and to  
16 those matters I am informed and believe them to be true. If called as a witness, I would competently  
17 testify to those matters stated herein.  
18

19                               Executed on September 18, 2020 at Oakland, California.

20                               /s/ JANA E COOK

21                               JANA E COOK

22                               G.A.L. of Decedent DUJUAN ARMSTRONG's biological  
23                               child, J.L.J.A.  
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Plaintiffs,

vs.

COUNTY OF ALAMEDA, a municipal  
corporation, et al.

Defendants.

CASE NO.: 3:19-cv-07940-SK

**PETITION APPOINTING GUARDIAN AD  
LITEM FOR MINOR O.A.**

Petitioner Chastity Williams respectfully represents:

1           15.     Petitioner CHASTITY WILLIAMS is the natural mother of minor plaintiff O.A..  
2     Decedent DUJUAN ARMSTRONG was the father of the child. Minor Plaintiff O.A. was born on  
3     February 11, 2019 and is presently one year old.

4           16.     Minor Plaintiff O.A. has causes of action against the named defendants herein on  
5     which a lawsuit was brought in this court for violation of civil rights under Federal statutes.

6           17.     Plaintiffs' causes of action arise out of an incident which occurred on June 23, 2018,  
7     in which Minor Plaintiffs O.A.'s father, DUJUAN ARMSTRONG, died by asphyxiation.

8           18.     No previous petition for appointment of guardian ad litem with respect to this minor  
9     has been filed in this matter.

10          19.     In a case where a minor had an interest in a trust and the litigation sought to destroy  
11     the trust, appointing a guardian ad litem "other than a person with a conflicting interest to protect his  
12     interest in the decedent's estate" was "advisable and proper". Estate of High (Cal. App. 4th Dist. Apr.  
13     28, 1967), 250 Cal. App. 2d 561. Similarly, where a minor's financial interest in a trust directly  
14     conflicted with his mother seeking in her individual capacity to dissolve the trust, it was "highly  
15     proper" a different guardian ad litem be appointed in lieu of his mother. *Loock v. Pioneer Title Ins. &*  
16     *Trust Co.*, (Cal. App. 4th Dist. Jan. 29, 1935) 4 Cal. App. 2d 245, 249. Here, petitioner is willing to  
17     serve as the minors' Guardian Ad Litem. Petitioner is fully competent to understand and protect the  
18     rights of the minors. Petitioner has no interest adverse to that of the minor because their interests  
19     concerning liability are totally aligned, and their interests concerning damages totally align as well.  
20     The measure of damages is individual to Petitioner and minor plaintiff, with any amount awarded to  
21     one not impacting the amount awarded to the other, and also coincide, where the nature of the family  
22     relationships advance each others' interests, as opposed to being adverse to each other's interests. As  
23     the child's mother, Petitioner is also the best person to act in the interest of the minor.  
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20. Petitioner requests that she be appointed guardian ad litem for their child, to prosecute the above-described causes of action on behalf of their child, and for such other relief as the Court may deem just and proper.

21. This petition was prepared by the Law Offices of John L. Burris, the lead counsel representing plaintiffs in this action. James Cook, Esq. of Law Offices of John L. Burris also represents plaintiffs and is in agreement with the terms of this Petition. John L. Burris, Esq., Benjamin Nisenbaum, Esq., and James Cook Esq., hereby represent to the Court that they became involved in this case at the request of plaintiffs, and have not received, and do not expect to receive any compensation for their services in connection with this action from any person other than the parties whom they represent in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my personal knowledge, except where stated on information and belief, and to those matters I am informed and believe them to be true. If called as a witness, I would competently testify to those matters stated herein.

Executed on September 18, 2020 at Oakland, California.

/s/ CHASTITY WILLIAMS

CHASTITY WILLIAMS

Mother of Decedent DUJUAN ARMSTRONG's biological child, O.A.

ATTESTATION CLAUSE

1 "I hereby attest that I have on file all holographic signatures corresponding to any signatures  
2 indicated by a conformed signature (/S/) within this e-filed document."  
3

4 **Law Offices of John L. Burris**  
5

6 Dated: September 18, 2020

/s/ *James Cook*  
James Cook Esq.,  
Attorney for Plaintiffs  
BARBARA DOSS, et al.

PROOF OF SERVICE

I, Brandon Yee, declare as follows: I am over the age of 18 years and not a party to this action. My business address is 7677 Oakport Street, Suite 1120, Oakland, CA 94621. I caused the foregoing:

- Plaintiff's Petition Appointing Guardian Ad Litem For Minor B.A.
- Plaintiff's Petition Appointing Guardian Ad Litem For Minor J.L.J.A.
- Plaintiff's Petition Appointing Guardian Ad Litem For Minor O.A.
- Decedent Dajuan Armstrong's Death Certificate

to be served on the following parties in the following manner:

Mail [ X ] Overnight Mail [ ] Personal Service [ ] Email [X]

**NOAH G. BLECHMAN, ESQ.**  
**RANDOLPH S. HOM, ESQ.**  
**MCNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER LLP**  
**3480 Buskirk Avenue, Suite 250**  
**Pleasant Hill, CA 94523**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration of service was executed in Oakland, CA on September 18, 2020.

Signed: /s/ Brandon Yee